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**RESOLUTION NO. 04-213**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **MAIN 20, SOUTHWEST INTERCEPTOR SEWER, (AN AREA GENERALLY BOUNDED BY THE WICHITA VALLEY CENTER FLOOD CONTROL DITCH, THE KANSAS SOUTHWESTERN RAILROAD TRACKS AND 25TH STREET) 468-83796**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF THE CONSTRUCTION OF **MAIN 20, SOUTHWEST INTERCEPTOR SEWER, (AN AREA GENERALLY BOUNDED BY THE WICHITA VALLEY CENTER FLOOD CONTROL DITCH, THE KANSAS SOUTHWESTERN RAILROAD TRACKS AND 25TH STREET) 468-83796**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Main 20, Southwest Interceptor Sewer, (an area generally bounded by the Wichita Valley Center Flood Control Ditch, the Kansas Southwestern Railroad Tracks and 25th Street) 468-83796**.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **One Million Five Hundred Fifty Thousand Dollars (\$1,550,000)** exclusive of the cost of interest on borrowed money, with **25** percent of the total cost payable by the improvement district and **75** percent of the total cost payable by the City of Wichita from Wichita Sanitary Sewer Utility Fund. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **April 1, 2004**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**BURLESON ADDITION**

Lots 1-5 inclusive, Block A

**SUPERIOR ADDITION**

Lots 1-3 inclusive, Block 1

**ZOO BUSINESS PARK ADDITION**

Lots 1-11 inclusive

**UNCAPHER ADDITION**

Lot 1, Block A

**U-NEEDA SELF STORAGE ADDITION**

Lot 1, Block 1

**UNPLATTED TRACTS**

In the SW 1/4 of Section 2, Township 27S, Range 1W

The E 165' of the S 264' except the S 50' for road (D-1214-UP)

The S half of the W 210' of the S 210' of the NW 1/4, except the W 40' for road (D-1215-UP)

The E 210' of the W 840' of the S 210' of the NW 1/4, except the N 20' for road (D-1216-UP)

The E 210' of the W 630' of the S 210' of the NW 1/4 (D-1217-UP)

The E 210' of the W 420' of the S 210' of the NW 1/4 (D-1218-UP)

The E 10 acres of the SW 1/4, except the S 880' (D-1220-UP)

Beginning at the SE corner of the SW 1/4; thence N 880', W 165', S 880', and E to the point of beginning (D-1221-UP)

Beginning 165' W of the SE corner of the SW 1/4; thence W 165', N 880', E 165', S 880' to the point of beginning (D-1222-UP)

The E 56.2' of the S 420' of the NW 1/4, except the N 40' of the S 230' (D-1348-UP)

The N half of the W 210' of the S 210' of the NW 1/4, except the W 40' for road (D-1349-UP)

The E 210' of the W 840' of the N 210' of the S 420' of the NW 1/4, except the N 20' for road (D-1350-UP)

The E 105' of the W 525' of the N 210' of the S 42' of the NW 1/4 (D-1351-UP)

The E 105' of the W 630' of the N 210' of the S 420' of the NW 1/4 (D-1352-UP)

The E 210' of the W 420' of the N 210' of the S 420' of the NW 1/4 (D-1353-UP)

The S 210' of the W 420' of the E 476.2' of the S 420' of the NW 1/4, except the N 20' for road (D-1354-UP)

The N 105' of the S 420' of the W 210' of the NW 1/4, except the W 30' for road (D-1382-UP)

The S 105' of the N 210' of the S 420' of the W 210' of the NW 1/4, except the W 30' for road (D-1383-UP)

The N 210' of the S 420' of the W 420' of the E 476.2' of the NW 1/4 (D-1384-UP)

The N 445' of the NW 1/4 except the W 30' for road (D-1400-UP)

The S 225' of the N 450' of the S 870' of the NW 1/4 except the W 30' for road (D-1401-UP)

The N 225' of the N 450' of the S 870' of the NW 1/4 except the W 30' for road (D-1416-UP)

**UNPLATTED TRACTS**

In the SE 1/4 of Section 3, Township 27S, Range 1W

Beginning 40' S & 480' W of the NE corner; thence W 195', S 100', E 195', and N to the point of beginning (D-1235-UP)

Beginning 675' W & 40' S of the NE corner; thence W 195', S 200', E 195', and N 200' to the point of beginning (D-1238-UP)

The S 677' lying E of the RR ROW except the N 337' (D-1227-UP)

The N 337' of the S 677' lying E of the RR ROW (D-1228-UP)

Beginning 941' N of the SE corner; thence W 330', N 70', E 330', S 70' to the point of beginning (D-1232-UP)

Beginning 1011' N of the SE corner; thence W 330', N 70', E 330', S 70' to the point of beginning (D-1240-UP)

Beginning 1081' N of the SE corner; thence W 330', N 69' more or less to a point 170' S of the N line of the S  $\frac{1}{2}$ , E 330', and S to the point of beginning (D-1242-UP)

Beginning 100' S of the NE corner of the S half; thence W 330', S 70', E 330', and N to the point of beginning (D-1236-UP)

Beginning 30' S of the NE corner of the S half; thence W 330', S 70', E 330', and N to the point of beginning (D-1234-UP)

Beginning 40' S of the NE corner; thence S 100', W 225', N 100', and E to the point of beginning except the E 30' for road (D-1230-UP)

Beginning 225' W and 40' S of the NE corner; thence S 150', W 195', N 150', and E to the point of beginning (D-1231-UP)

The N half of a tract beginning 140' S of the NE corner; thence W 200', W 225', N 200', and E to the point of beginning, except the E 30' for road (D-1355-UP)

Beginning 225' W & 190' S of the NE corner; thence S 150', W 195', N 150', and E to the point of beginning (D-1356-UP)

Beginning 480' W & 140' S of the NE corner; thence W 195', S 100', E 195', and N to the point of beginning (D-1357-UP)

Beginning 675' W & 240' S of the NE corner; thence W 195', S 100', E 195', and N 100' to the point of beginning (D-1358-UP)

Beginning 675' W & 440' S of the NE corner; thence W 195', S 100', E 195', and N 100' to the point of beginning (D-1359-UP)

Beginning 675' W & 540' S of the NE corner; thence W 195', S 100', E 195', and N 100' to the point of beginning (D-1360-UP)

Beginning 675' W & 340' S of the NE corner; thence W 195', S 100', E 195', and N 100' to the point of beginning (D-1361-UP)

Beginning at the SE corner of the NE  $\frac{1}{4}$ ; thence N 200', W 225', N 184.56', W 225', N 100', W 173', S 485.82', E 623' to the point of beginning except part taken for road on S and E (D-1362-UP)

Beginning 30' N & 623' W of the SE corner of the NE  $\frac{1}{4}$ ; thence W 277', N 471.82', E 225', N 14', E 52', and S 485.82' to the point of beginning (D-1363-UP)

Beginning 700' S & 675' W of the NE corner; thence W 195', S 114', E 195', and N 114' to the point of beginning (D-1364-UP)

Beginning 230' N of the SE corner of the NE  $\frac{1}{4}$ ; thence W 225', N 100', E 225', and S to the point of beginning, except the E 30' for road (D-1381-UP)

The S half of a tract beginning 140' S of the NE corner; thence S 200', W 225', N 200', and E to the point of beginning, except the E 30' for road (D-1385-UP)

Beginning 340' S of the NE corner; thence S 100', W 420', N 100', and E to the point of beginning, except the E 210' (D-1386-UP)

Beginning 480' W & 440' S of the NE corner; thence W 195', S 100', E 195', and N to the point of beginning (D-1387-UP)

Beginning 480' W & 430' S of the NE corner; thence W 195', S 100', E 195', and N to the point of beginning (D-1388-UP)

Beginning 700' S & 480' W of the NE corner; thence W 195', S 100', E 195', and N 100' to the point of beginning (D-1389-UP)

Beginning 480' W & 240' S of the NE corner; thence W 195', S 100', E 195' and N to the point of beginning (D-1390-UP)

Beginning 480' W & 340' S of the NE corner; thence W 195', S 100', E 195', and N to the point of beginning (D-1391-UP)

The E 225' of the NE 1/4, except the N 874.2' thereof and except the S 330' and the E 30' thereof (D-1392-UP)

Beginning 225' W & 800' S of the NE corner; thence W 195', S 100', E 195', and N 100' to the point of beginning (D-1393-UP)

Beginning 340' S of the NE corner; thence S 100', W 210', N 100', and E 210' to the point of beginning, except the E 30' for road (D-1402-UP)

Beginning 225' W & 430' S of the NE corner; thence W 225', S 100', E 225', and N to the point of beginning (D-1403-UP)

Beginning 700' S & 225' W of the NE corner; thence S 100', W 195', N 100', and E to the point of beginning (D-1404-UP)

Beginning 225' W & 220' S of the NE corner; thence W 195', S 100', E 190', and N 100' to the point of beginning (D-1405-UP)

Beginning 700' S & 30' W of the NE corner; thence W 195', S 180', E 195', and N 180' to the point of beginning, except the S 5.8' thereof (D-1406-UP)

Beginning 440' S of the NE corner; thence S 100', W 225', N 100', and E to the point of beginning, except the E 30' for road (D-1418-UP)

Beginning 640' S of the NE corner; thence W 225', N 100', E 225', and S to the point of beginning, except the E 30' for road (D-1417-UP)

#### **UNPLATTED TRACTS**

In the NW 1/4 of Section 11, Township 27S, Range 1W

The N half except ROW and except a tract beginning 500' E of the SW corner; thence E 155.9' to the W line of ROW, NW along ROW 243.4' to a point N of beginning, S to the point of beginning, and except 1.88 acres of Floodway A-31849, and except the W 500', and except the N 50' for road (D-966-UP)

That part of the S half lying NELY of MOPAC RR ROW & NWLY of Floodway (D-966-1UP)

#### **UNPLATTED TRACTS**

In the NE 1/4 of Section 11, Township 27S, Range 1W

That part lying N & W of Floodway ROW A-31849 (D-1243-UP)

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **square foot** basis.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment

Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, May 4, 2004.

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CARLOS MAYANS, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)